

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

T01-0023

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", the CSX Transportation, Inc., hereinafter referred to as the "Company", the County of St. Clair hereinafter referred to as the "County", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the crossing of the Company's track with a public highway known as O'Fallon Drive (CH-58) located in the Village of Caseyville, St. Clair County, Illinois, designated as crossing DOT 153 052P, milepost 327.04-A; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and all other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvement upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvement in the interest of public safety at the aforesaid crossing should be:

- a) The Company should remove existing automatic flashing light signals and install new automatic flashing light signals and gates, and reuse existing motion sensor control circuitry;

Section 3 The Company has prepared a preliminary estimate of cost which is attached as Exhibit B, to accomplish the proposed improvement which it may be required to perform; The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost, and any required specifications for the proposed improvement for the approval of the Commission and Department.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvement, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, for the submission of progress reports should be six (6) months and for the completion of the proposed improvement should be twelve (12) months, from the date of Commission Order subsequent to this agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvement should be:

1. The cost to remove the existing warning devices and install the automatic flashing light signals and gates estimated at \$81,454.70, should be allocated whereby the Grade Crossing Protection Fund (Fund) should bear 85% of said project cost, not to exceed \$69,236, the County should bear 10% of the project cost, not to exceed \$8,145, with the Company bearing any remaining cost after payment from the Fund and County as well as all future operation and maintenance cost thereof;

Section 6 The County is financially able and willing to bear an equitable portion of the cost for the proposed improvement as may be assigned by the order and indicates this intent by Resolution attached as Exhibit C.


Section 7 Special Provisions: The Company shall at six (6) month intervals from the date of Commission Order issued subsequent to this Agreement until the project is completed, file a written report with the Director of Processing and Information, Transportation Division of the Commission, stating the status of expenditures of the project and the percentage of completion of the project. If the project is behind schedule the report must include a brief explanation of the reason(s) for the delay.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to Mr. Henry Cronister, Bureau of Local Roads and Streets, Main Office, Illinois Department of Transportation at 2300 South Dirksen Parkway, Room 205, Springfield, Illinois, 62764. The Department shall send a copy of each bill received to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted to the Department and Commission no later than twenty four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the completion date specified in the Order. The Department shall, at the end of the 24<sup>th</sup> month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

The Company shall at six (6) month intervals from the date of Commission's Order subsequent to this Agreement, submit written reports to the Director of Processing and Information, Transportation Division of the Commission, stating the progress it has made toward completion of the work herein required. Each progress report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number and facsimile number of the Company employee responsible for management of the project.

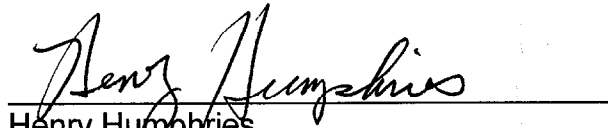
In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 10<sup>th</sup> day of January 2001.



Michael E. Stead  
Railroad Safety Program Administrator

Attest:



Henry Humphries,  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 954 concerning safety improvements at the O'Fallon Drive grade crossing of the CSX Transportation, Inc. main track, in Caseyville, St. Clair County, Illinois, designated as crossing AAR/DOT # 153 052P, Milepost 327.04-A.

Executed by the Department this 29<sup>th</sup> day of January 2001.

STATE OF ILLINOIS

DEPARTMENT OF TRANSPORTATION

By:

James C. Shifer  
Director of Highways

Illinois Commerce Commission Stipulated Agreement No. 954 concerning safety improvements at the O'Fallon Drive grade crossing of the CSX Transportation, Inc. main track, in Caseyville, St. Clair County, Illinois, designated as crossing AAR/DOT # 153 052P, Milepost 327.04-A.

Executed by St. Clair County this 30<sup>th</sup> day of January 2001.

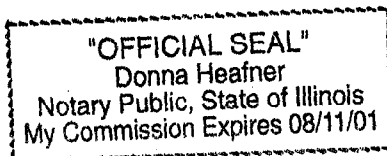
ST. CLAIR COUNTY

By:

*John P. Mancini*

Attest:

*Donna Heafner*



Illinois Commerce Commission Stipulated Agreement No. 954 concerning safety improvements at the O'Fallon Drive grade crossing of the CSX Transportation, Inc. main track, in Caseyville, St. Clair County, Illinois, designated as crossing AAR/DOT # 153 052P, Milepost 327.04-A.

Executed by the Company this 20<sup>th</sup> day of March - 2001.

CSX TRANSPORTATION, INC.

By: Dale W. Ophardt

Dale W. Ophardt  
Chief Engineer - Design & Construction

Attest:

Terrence J. Lyons  
VICE PRESIDENT & CORPORATE SECRETARY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line CSX Milepost 327.04-A Inventory # 153 052P  
City (I) Caseyville Street O'Fallon Drive County St. Clair  
(CH-58)  
Jurisdiction County Urban X Rural X Commercial      Residential       
Street Surface Oil/Chip Width 22' Condition Good  
Angle 40° Tracks Tangent Yes Degree of Curve -- Superelevation --  
Depth of Cut                                      Height of Fill                     

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>asphalt</u>	<u>42'</u>	<u>New</u>
<u>          </u>	<u>          </u>		<u>flange</u>		
			<u>rubber</u>		
<u>          </u>	<u>          </u>				
<u>          </u>	<u>          </u>				

Intersecting Roads 100' Pvt. drive 200' Pvt. drive  
Traffic Control Devices Present None  
ADT 1,100 Speed posted 30 mph Statewide Yes  
Schoolbuses Yes Hazardous Materials Poss. Other       
Rail Traffic: Ft. 11 @ 30 mph Pass. -- @ -- mph Switch       
Simultaneous Movements No Daylight and Dark Yes  
Present Protection AFLS

Advance Warning Signs Yes Pavement Marking No



## Visibility Study

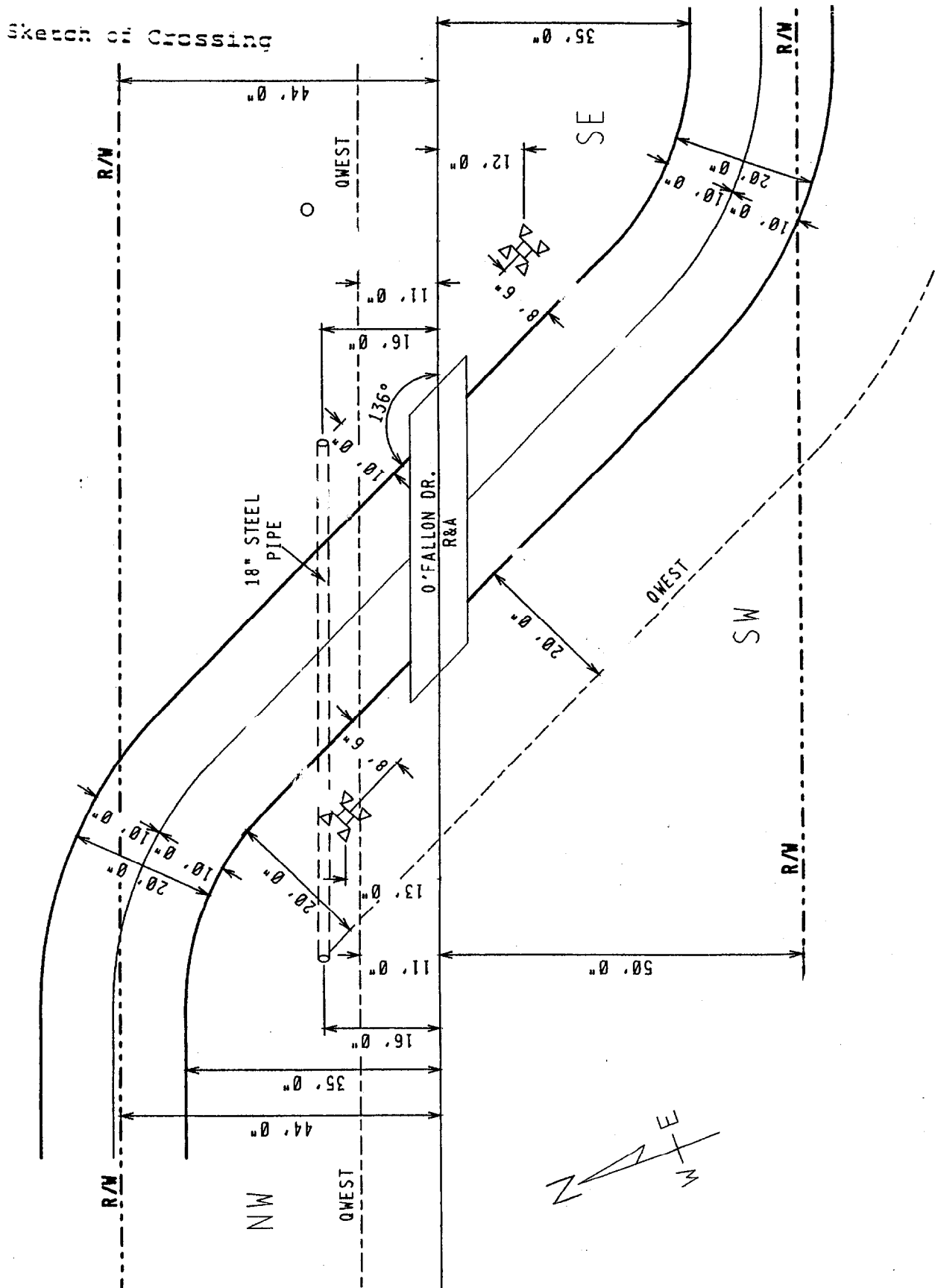
Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	N/A		Restricted	Trees/Brush
NW	N/A		OK	
SE	N/A		OK	
SW	N/A		OK	

## Approach Grades

East	<u>Meets</u>	<u>92</u>	<u>%</u>	<u>Ill.</u>	<u>Adm.</u>	<u>%</u>	<u>Code</u>	<u>1535</u>	<u>%</u>
West	<u>"</u>	<u>"</u>	<u>%</u>	<u>"</u>	<u>"</u>	<u>%</u>	<u>"</u>	<u>"</u>	<u>%</u>

Comments: \_\_\_\_\_

[illegible]



ESTIMATE: 9902041-20346

**CSX TRANSPORTATION**

ESTIMATED COST TO  
INSTALL AUTOMATICALLY CONTROLLED FLASHERS AND GATES  
CASEYVILLE, IL  
O'FALLON  
OP#: IL0040

AAR#: 153052P

PROJECT#: IL2000036

SUMMARY

MATERIAL:	\$34,058.87
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SALES TAX:	\$0.00
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LABOR

## INSTALLING:

CONSTRUCTION:	( 55 man days )	\$9,680.00
SHOP:	( 5 man days )	\$779.50

SUBSISTENCE ALLOWANCE:	\$6,600.00
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RAILROAD ENGINEERING, PRELIMINARY:	\$522.98
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RAILROAD ENGINEERING, CONSTRUCTION:	\$1,568.93
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ADDITIVES TO LABOR:	\$10,328.76
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ADDITIVES TO ENGINEERING:	\$1,018.55
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ADDITIVES TO SHOP LABOR:	\$155.90
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EQUIPMENT EXPENSE:	( 11 Work Days )	\$6,721.00
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WASTE MANAGEMENT:	( Refuse Container )	\$101.20
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	( Portable Rest Room )	\$24.75
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CONTRACT ENGINEERING

INVOICE:	\$7,520.80
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CONTINGENCY/FREIGHT:	( 3% OF TOTAL PROJECT )	\$2,372.47
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220 VAC POWER SERVICE:	\$0.00
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ESTIMATED SALVAGE:	\$1.00
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MISCELLANEOUS CHARGES:	\$0.00
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DATE: 11/8/2000	\$31,454.70
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ESTIMATE BY: SAFETAN SYSTEMS CORP.

NOTE: THIS ESTIMATE SHOULD BE CONSIDERED VOID ONE YEAR FROM THE DATE OF ESTIMATE.

**CSX TRANSPORTATION**  
PURCHASES AND MATERIALS  
BILL OF MATERIAL - SHOP

EXHIBIT B

PAGE 2

EFF. DATE: 11/8/2000

LOC. #: 1

PROJECT#: IL2000036

LOC. MP:

AFE/OP#: IL0040

CONTRACTOR: SAF-RWR

LOC. NAME: CASEYVILLE, IL

ESTIMATE: 9902041-20346

LOC. DESCRIPTION: O'FALLON

MILE POST: BC-327.04

QTY	ITEM	DESCRIPTION	UM	PRICE	COST
1	020.0003393.1	HOUSE, 6' X 6' ALUMINUM, UNIVERSAL, SERRMI	EA	\$4,206.00	\$4,206.00
3	020.0017120.1	BLOCK TERMINAL 12 WAY SINGLE	EA	\$13.34	\$40.02
1	020.0017209.1	TRANSFORMER P/N 010520-20X LGT	EA	\$176.00	\$176.00
4	020.0017311.1	RESISTOR 029602-52X 1.5 OHM ADJ.	EA	\$19.00	\$76.00
1	020.0021965.1	EXTRACTOR DWG 59688	EA	\$6.04	\$6.04
5	020.0022651.1	PLUGBOARD KIT B1 RELAY ASSY, C30	EA	\$43.16	\$215.80
1	020.0022754.1	RECTIFIER DWG 59899-5 GR3	EA	\$47.41	\$47.41
1	020.0022870.1	RELAY 56001-783, GR-2/500 OHM, B8	EA	\$250.26	\$250.26
1	020.0022872.1	RELAY 56001-983, GR-1/500 OHM, B82	EA	\$523.20	\$523.20
1	020.0022895.1	RELAY 56001-830, GR1/460 OHM, B36	EA	\$265.36	\$265.36
1	020.0022920.1	RELAY 56001-745, GR1/10VAC PWR, B62	EA	\$280.38	\$280.38
1	020.0023008.1	RELAY 56001-974, GR1/18 OHM, B81	EA	\$276.83	\$276.83
1	020.0025595.1	WRENCH DWG 55393-3 GR1 "E" TERMINAL	EA	\$14.89	\$14.89
3	020.0053390.1	CHARGER BATTERY NRS 12/20 SCR SOLID	EA	\$400.36	\$1,201.08
1	020.0660075.1	ARRESTER, 120V AC, GE 9L10MAA121	EA	\$322.00	\$322.00
3	020.0750090.1	NUT INSULATED SAFETRAN 023-408-1X	EA	\$3.33	\$9.99
31	020.0770060.1	ARRESTER US&S N451552-0201 RED	EA	\$14.25	\$441.79
1	020.1940055.1	CONTAINER CIRCUIT PRINT 24"	EA	\$6.00	\$6.00
1	020.2531730.1	ARRESTER MDSA-1 HAR 250204-001C	EA	\$243.00	\$243.00
2	020.4200100.1	CONNECTOR BUS 1" CENTERS 1/2" X 36"	PC	\$6.04	\$12.08
31	020.4200340.1	LINK TEST OFFSET LINK 1IN CENTERS	EA	\$0.79	\$24.49
9	020.4200360.1	LINK INSUL TEST 2-3/8" CENTERS	EA	\$3.85	\$34.65
2	020.8000067.1	LOCK AMERICAN H1OKA CSX SIGNAL	EA	\$12.69	\$25.38
1	020.8100035.1	RECORDER, EVENT ASSY., SMART, COMPLETE	EA	\$3,417.00	\$3,417.00

\$12,115.65

**CSX TRANSPORTATION****PURCHASES AND MATERIALS  
BILL OF MATERIAL - FIELD**

EXHIBIT B

PAGE 3

EFF. DATE: 11/8/2000

LOC. #: 1

PROJECT#: IL2000036

LOC. MP:

AFE/OP#: IL0040

CONTRACTOR: SAF-RWR

LOC. NAME: CASEYVILLE, IL

ESTIMATE: 9902041-20346

LOC. DESCRIPTION: O'FALLON

MILE POST: BC-327.04

QTY	ITEM	DESCRIPTION	UM	PRICE	COST
350	020.0013906.1	CABLE, UG 16 COND/6 NO. 6 AWG	FT	\$4.76	\$1,664.88
4	020.0017120.1	BLOCK TERMINAL 12 WAY SINGLE	EA	\$13.34	\$53.36
2	020.0025143.1	SHUNT HOLDER CSX SK SS91-02 STEEL	EA	\$38.68	\$77.35
4	020.0052386.1	BRACKET, FLARED LEG	EA	\$2.48	\$9.91
4	020.0052475.1	BRACKET FOR BLOCKING XING SIGN ASSY.	EA	\$3.42	\$13.68
10	020.0052920.1	BAND C-204 BAND IT 1/2" SS FOR DOT	FT	\$0.40	\$4.00
4	020.0052921.1	BUCKLE C-254 BAND IT 1/2" SS FOR DOT	EA	\$0.28	\$1.12
10	020.0052925.1	3/4" BAND	FT	\$0.60	\$6.00
4	020.0053158.1	BUCKLE. 3/4"	EA	\$0.42	\$1.68
150	020.0053245.1	CABLE UG 3 COND NO 9 AWG	FT	\$1.21	\$181.50
2	020.0054075.1	GATE SK-1000-C KEEPER NORMAL; 32 FT MAX	EA	\$1,667.27	\$3,334.55
2	020.0056474.1	14' GATE;LTS:2-WAY STD.	EA	\$4,520.14	\$9,040.28
350	020.0057275.1	WIRE UG TRK TWIST PAIR NO 6 AWG	FT	\$0.76	\$266.00
13	020.1040302.1	BATTERY, GNB 50A07, 160AH MF	EA	\$150.08	\$1,951.04
6	020.1040304.1	BATTERY, GNB 50A11, 265AH MF	EA	\$206.08	\$1,236.48
4	020.1153551.1	CLIP TRK WIRE RETAIN ERICO SBA248B	EA	\$1.65	\$6.60
1	020.1360014.1	PACKAGE FOREMANS CARE FOR ALUMINUM	EA	\$556.00	\$556.00
1	020.1360016.1	PACKAGE SAFETY WITH TAG AND LOCK	EA	\$15.39	\$15.39
2	020.2060060.1	FOUNDATION ASSY 5FT 6IN HT TYPE S-2	EA	\$344.48	\$688.96
2	020.2531290.1	NARROW BAND SHUNT,HAR NBS-1, 392HZ	EA	\$229.60	\$459.20
4	020.3262360.1	SCREW 1/2IN X 4 1/2 IN FETTER DRIVE	EA	\$0.73	\$2.91
2	020.3901895.1	TIP FLEX HWY CROSSING GATE 24 IN	EA	\$82.34	\$164.68
1	020.3920200.1	BELL HWY XING GSI ELECTRONIC	EA	\$165.00	\$165.00
2	020.3930010.1	KIT GATE ARM WARNING STICKER	EA	\$10.00	\$20.00
31	020.4200340.1	LINK TEST OFFSET LINK 1IN CENTERS	EA	\$0.79	\$24.49
6	020.4200900.1	CONNECTOR SHEATHING FOR CABLE GND.	EA	\$0.12	\$0.70
1	020.9999991.1	BLOCKING AND BRACING FOR PROJECTS	EA	\$98.29	\$98.29
30	250.0010780.1	CONDUIT GALV RIGID 4" STL 10' LENGTH	FT	\$5.34	\$160.32
1	360.0006100.1	STOOL STEP WOOD 14" X 20" SIGNAL	EA	\$24.00	\$24.00
6	360.0020357.1	WATER DRINKING 8 OZ SHRNK WRAP 6 PK	CA	\$3.36	\$20.16
1	360.0800145.1	BROOM WAREHOUSE HVY DUTY 1D300	EA	\$5.75	\$5.75

\$20,254.28

**CSX TRANSPORTATION**  
PURCHASES AND MATERIALS  
BILL OF MATERIAL - CONSUMABLES

EXHIBIT B

PAGE 4

EFF. DATE: 11/8/2000

LOC. #: 1

PROJECT#: IL2000036

LOC. MP:

AFE/OP#: IL0040

CONTRACTOR: SAF-RWR

LOC. NAME: CASEYVILLE, IL

ESTIMATE: 9902041-20346

LOC. DESCRIPTION: O'FALLON

MILE POST: BC-327.04

QTY	ITEM	DESCRIPTION	UM	PRICE	COST
350	020.0017605.1	WIRE, CASE NO. 10 AWG FLEX	FT	\$0.19	\$66.50
500	020.0017607.1	WIRE, CASE, TW. PR. NO. 10, AWG	FT	\$0.38	\$192.15
150	020.0017625.1	WIRE, CASE, TW PR NO. 14 AWG, FLEX	FT	\$0.29	\$43.38
200	020.0017630.1	WIRE CASE NO 16 AWG FLEX	FT	\$0.11	\$22.00
130	020.0017635.1	WIRE, OKONITE, DEL 018 AWG #6	FT	\$0.77	\$100.45
100	020.0028610.1	TERMINAL, RING, AMP 35628, YELLOW #16- #14	EA	\$0.45	\$44.57
15	020.0028635.1	TERMINAL RING TEST #16 - #14 AWG	EA	\$1.55	\$23.25
12	020.0028645.1	TERMINAL RING TEST #12 - #10 AWG	EA	\$1.44	\$17.27
2	020.3261970.1	DECAL ASSY 2" BLACK PRESSURE	EA	\$9.22	\$18.44
2	020.4200880.1	CONNECTOR TERMINAL 2-3/8" CENTERS	EA	\$0.44	\$0.88
27	020.4200892.1	CONNECTOR TERMINAL 1" CENTERS	EA	\$0.37	\$9.99
120	020.4251190.1	TERMINAL RING AMP 35627 BLACK #12-#10	EA	\$0.65	\$78.13
30	020.4251290.1	TERMINAL WIRE AMP 322051 BLUE #6 1/4" STUD	EA	\$0.55	\$16.50
6	020.4251295.1	TERMINAL WIRE AMP 322007 BLUE #6 3/16" STUD	EA	\$0.55	\$3.30
1	020.9999992.1	HOUSE SIGNAL HANDLING CHARGE	EA	\$50.00	\$50.00
100	450.0019212.1	SCREW 10 X 1" SH METAL PHILLIPS	EA	\$0.02	\$2.13
1	SPECIAL	FILL MATERIAL	LT	\$200.00	\$200.00
1	SPECIAL	GRAVEL	LT	\$800.00	\$800.00
					<u>\$1,688.94</u>

Exhibit (C)

ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT

Date: January 29, 2001

Agreements # 954

The St. Clair County Board

meeting on January 29, 2001, Resolved to authorize John Baricevic, County

County Board Chairman, to act as its designated agent in the processing of this

Stipulated agreement and that the County of St. Clair is financially willing and able to

bear the costs for the proposed improvements as they have been attributed according

to Section 5 of this Agreement.

RECEIVED  
FEB 20 2001

Illinois Commerce Commission  
RAIL SAFETY SECTION

RESOLUTION

# 471-01-RT

WHEREAS, the State of Illinois acting by and through the Illinois Commerce Commission, and the County of St. Clair, acting by and through its County Board propose, to improve railway-highway grade crossing AAR/DOT #153 052P Milepost 327.04-A, located at County Highway 58, O'Fallon Drive near the City of Caseyville, Illinois with the CSX Transportation Inc. The proposed modifications include installation of automatic flashing light signals and gates.

WHEREAS, the Illinois Commerce Commission has prepared Stipulated Agreement No. 954 between the County, Railroad and Commerce Commission, which provides for the division of costs, maintenance responsibilities and other conditions, and has requested the County to execute the Stipulated Agreement which will then be executed by the Railroad, a copy of which is attached hereto, and

WHEREAS, the total cost of the proposed improvement is estimated to be \$81,454.70 of which 85% (\$69,236.00) will be paid by the Grade Crossing Protection Funds and 10% (\$8,145.00) will be paid by St. Clair County and the remaining installation and maintenance costs shall be paid by the Railroad, and

WHEREAS, the County agrees to pass a resolution appropriating sufficient funds to pay it share of the costs of this improvement.

NOW, THEREFORE, BE IT RESOLVED, that the terms and conditions of the Stipulated Agreement are satisfactory and meet with the approval of this County Board, and,

BE IT ALSO RESOLVED, that the funds to meet the obligation for this project be and are hereby appropriated from the Matching Tax Fund of St. Clair County and that said section is designated as Section No. 01-00340-02-SP (DOT 153 052P milepost 327.04-A), and

BE IT FURTHER RESOLVED, that the Chairman of this County Board is hereby authorized and directed to execute the above mentioned Stipulated Agreement No. 954 on behalf of St. Clair County, and



BE IT FURTHER RESOLVED, that the County Clerk is directed to transmit one (1) copy of this resolution to the Illinois Commerce Commission, through it's Chief Railroad Engineer, 527 East Capitol Drive, P.O. Box 19280, Springfield, IL. 62794-9280.

Respectfully submitted

Michael P. Gault  
Rich Casey  
June Chastland  
David Trudema  
Richard Vermier  
Ray Massey  
Carl G. Long  
Transportation Committee

APPROVED AND ADOPTED at a meeting of the County Board of St. Clair County, Illinois, this 29th day of January 2001.

ATTEST:

Bob Delaney  
County Clerk

Anthony Vermier  
County Board Chairman

January 29, 2001